



STATE BOARD OF EQUALIZATION

450 N STREET, SACRAMENTO, CALIFORNIA
PO BOX 942879, SACRAMENTO, CALIFORNIA 94279-0080
(916) 322-2270 • FAX (916) 324-3984
www.boe.ca.gov

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First District, San Francisco

MICHELLE STEEL
Third District, Rolling Hills Estates

JEROME E. HORTON
Fourth District, Los Angeles

JOHN CHIANG
State Controller

BARBARA ALBY
Acting Member
Second District, Sacramento

RAMON J. HIRSIG
Executive Director

STATE BOARD OF EQUALIZATION MEETING
450 N Street, Room 121, Sacramento
March 23-25, 2010

PRELIMINARY RECORD OF BOARD ACTION

Tuesday, March 23, 2010

The following is a preliminary record of Board actions taken at the March 23-25, 2010 Board Meeting. This is not an official record and is subject to correction or modification. The official record of the Board's actions is the minutes of the Board, which will be adopted at a subsequent meeting.

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Board Meeting

- A. Homeowner and Renter Property Tax Assistance Hearings
There are no items for this matter.

B. Corporate Franchise and Personal Income Tax Hearings

- B1a. Granite Rock Company, 420038
B1b. Bruce W. Woolpert and Rose Ann Woolpert, 420171
B1c. Bruce G. Woolpert and Mary E. Woolpert, 420181
B1d. Stephen G. Woolpert and Elizabeth M. Woolpert, 420221
B1e. Arthur Woolpert, 420187
B1f. Marianne Woolpert, 420219
B1g. Joseph Woolpert, 420222
B1h. Melissa E. Woolpert, 420223

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayers' appeal granted.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

B2. Walter B. Elcock and Laura K. Elcock, 474172

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayers' appeal denied.	Ms. Yee	Yes
.	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

B3. Kenneth Pillay, 487771—No Appearance

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's appeal denied.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

B4. Clovus M. Sykes, 492696, 492702

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's appeal partially granted/denied.	Ms. Yee	Yes
The Board imposed a \$375 frivolous appeal penalty per tax year appealed.	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

C. Sales and Use Tax Appeals Hearings

These items are scheduled for Wednesday, March 24, 2010 and Thursday, March 25, 2010.

D. Special Taxes Appeals Hearing

This item is scheduled for Thursday, March 25, 2010.

E. Property Tax Appeals Hearings
There are no items for this matter.

F. Public Hearings**F1. Regulation 1698.5, *Audit Procedures***

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved amendment with revisions and sent the regulation to the 15 Day file.	Ms. Yee	Yes
	Ms. Alby	No
	Ms. Steel	No
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

F2. Regulation 4903, *Innocent Spouse or Registered Domestic Partner Relief from Liability*

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Adopted amendments as publish.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

G. Tax Program Nonappearance Matters – Consent**G1. Legal Appeals Matters**

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved staff recommendations.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

- Petitions for Rehearing
 1. Liberty Supplies Company, Inc., 405242 (AA)
- Hearing Notice Sent – No Response
 2. James Anthony Dipinto, 445553 (KH)
 - 3a. David L. Wallace, 289815 (EH)
 - 3b. Kris L. Wallace, 442751 (EH)
 4. Steve and Vickie Marriott, 442732 (UT)
 - 5a. Mohammed Ali Khasksar Fard, 417571, 417575 (AC)
 - 5b. Alexe's State Jewelry, Inc., 417573 (AC)
- Hearing Notice Sent – Appearance Waived
 6. Costa Mike Tannous, 340508 (BH)
- Petitions for Release of Seized Property
 7. Jimmy Bui, 515505 (ET)
 8. Charles Rehmati and Seema Ruzgani, 519676 (ET)

G2. Franchise and Income Tax Matters

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved staff recommendations.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

➤ Decisions

1. Loren Berk, 483646
2. Timothy W. Casarez, 476761
3. Daniel P. Chiara and Lauren A. Chiara, 442174
4. Dwayne Daniels, 440108
5. Gloria D. Dickerson, 439517
6. Earnmax Mortgage Corporation, 478143
7. Bruce A. Freedline, 405927
8. Joyce A. Miller, 382018
9. William J. O'Connell III, 426210
10. Richard Ortega, 441636
11. Rahm (Ron) Rowhani, 461572
12. Ruth Scherfenberg, 421723
13. Melanti L. Siau, 445995
14. Kurt Sondgroth, 447175
15. Gregory Teeters, 467152

➤ Petitions for Rehearing

16. Charles H. Bond, 468891
17. Shawn Mills, 441635
18. Steve Olmos, 441632
19. Barbara Bladen Porter, 424104
20. Marianne Pretscher-Johnson, 440770
21. Marianne Pretscher-Johnson, 444214
22. Rodney Walker, 461172

➤ Hearing Notice Sent – Appearance Waived

23. Frank Martin, 489367

G3. Homeowner and Renter Property Tax Assistance Matters

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved staff recommendations.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

➤ Decisions

1. Stephen M. Aldridge, 443881
2. Reana Anderson, 449809
3. Rebecca S. Brannan, 443295
4. Doris N. Cintron, 445341
5. Betty Lou Erickson (Deceased), 436159
6. Patricia J. Fanning, 458631
7. Susie Jaeger, 445919
8. Ok Hee Joe, 423625
9. Inger Keith, 426788
10. Guadalupe G. Magos, 426137
11. Rita L. Miles, 441577
12. Carmen Z. Peralta, 442527
13. Keochoi Phothiwat, 427285
14. Jane W. Power, 473090
15. Seyedeh Razavian, 448040
16. Ronnie Vallet, 450602
17. Ruenn Shyan Wang, 437614
18. Jo Anne Wilkinson, 473129
19. Laura R. Williams, 424267
20. A. Woods, 443186

G4. Sales and Use Taxes Matters

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved staff recommendations.	Ms. Yee	Yes
	Ms. Alby	Yes
No final determination on sub-item 15	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes except not participating in sub-item 5.

➤ Redeterminations

1. A & A Ready Mixed Concrete, Inc., 488770 (EA)
2. International Business Machines Corp., 447655 (OH)
3. Alonso Munoz, 418695 (EH)
4. Brian J. Mills, 461965 (EA)
5. Fisher Scientific Co., LLC, 461618 (OH)
6. De Lage Landen Operational Services, LLC, 479496 (OH)
7. Silicon Graphics Federal, Inc., 379232 (CH)
8. Haskel International, Inc., 491363 (AC)
9. MSC-Medical Services Company, Inc., 466101 (OH)

➤ Relief of Penalty/Interest

10. Foot Locker Retail, Inc., 519428 (OH)
11. Save Mart Supermarkets, 519429 (KH)

➤ Denials of Claims for Refund

12. LBS Financial Credit Union, 451329 (EA)
13. Business Objects Americas, 358658 (GH)
14. The Permanente Medical Group, Inc., 350183 (CH)
15. ~~Federal Express Corporation, 196286 (OH)~~
16. Merillat Corporation, 415509 (OH)
17. Proquire, LLC, 436405 (OH)

G5. Sales and Use Taxes Matters – Credits, Cancellations, and Refunds

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved staff recommendations.	Ms. Yee Ms. Alby Ms. Steel Mr. Horton Mr. Chiang/ Ms. Mandel	Yes Yes Yes Yes Yes except not participating in sub-item 7.

➤ Credits and Cancellations

1. Kenneth D. Durrett, 443768 (OH)
2. Donna M. Stennis, 433474 (AS)
3. Lynton D. Adams, 520058 (EA)
4. Icon International, LLC, 432523 (AS)
5. Hoop Retail Stores, LLC, 512296 (OH)
6. Maisie Yolanda Ott, 461734 (JH)

➤ Refunds

7. Buena Vista Home Video, 435365 (OH)
8. LBS Financial Credit Union, 451329 (EA)
9. The Permanente Medical Group, Inc., 350183 (CH)
10. The Regents of the University of California, 403162 (FH)
11. Merillat Corporation, 415509 (OH)
12. Kokusai Semiconductor Equipment Corp., 491298 (GH)
13. GPS Consumer Direct, Inc., 400648 (OH)
14. Abraxis Bioscience, Inc., 437844 (OH)
15. Southern California Gas Company, 205208 (AA)
16. Kaiser Foundation Hospitals, 350184 (CH)
17. Solelectron USA, Inc., 518869 (GH)
18. Kinecta Federal Credit Union, 491464 (AS)
19. Regal Cinemas, Inc., 479026 (OH)
20. Pacific Service Credit Union, 494550 (CH)
21. Applied Minds, Inc., 510504 (AC)
22. GPS Services, Inc., 400434 (BH)
23. Flynn, Sabatino and Day, Inc., 443998 (AS)
24. Veeco Process Equipment, Inc., 485606 (OH)
25. Drive Financial Services, LP, 462795 (OH)
26. Southside Financial Group, LLC, 481114 (OH)

G6. Special Taxes Matters

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved staff recommendations.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes except not participating in sub-items 2 and 3.

➤ Redeterminations

1. Laidlaw Transit Services, Inc., 303428 (MT)
2. MBIA Insurance Corporation, 111737 (ET) 'CF'
3. MBIA Insurance Corporation, 307815 (ET) 'CF'

G7. Special Taxes Matters – Credits, Cancellations, and Refunds

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved staff recommendations.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes except not participating in sub-item 3.

➤ Refunds

1. Laidlaw Transit Services, Inc., 332585 (MT)
2. IPC (USA), Inc., 379280, 432708 (MT)
3. The Wine Group, LLC, 493582 (ET) 'CF'

There are no items for the following matters:

G8. Property Tax Matters

G9. Cigarette License Fee Matters

G10. Legal Appeals Property Tax Matters

H. Tax Program Nonappearance Matters – Adjudicatory**H1. Legal Appeals Matters**

➤ Cases Heard But Not Decided

1. James M. Heim, 379939 (CH)

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's petition partially granted/denied.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	No
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

2. James Bass Smith, 353126 (UT)

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's petition denied.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	No
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

➤ Petitions for Release of Seized Property

3. Surinder Singh, 506263 (ET)

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's petition denied.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	No
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Absent and Not Participating

H2. Franchise and Income Tax Matters

➤ Decisions

1. Michael D. Charles, 439490, 440947

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's appeal denied. The Board imposed a \$375 frivolous appeal penalty for each tax year 2004 and 2005.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

2. Fernando Gutierrez, 449484

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's appeal partially denied/granted.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

3. David L. McKibbin and Sherri L. McKibbin, 340534

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's appeal denied.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

4. Prudential Commercial Leasing, Inc., 468875

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's appeal denied.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

5. Andra R. Sachs, 446027

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's appeal denied.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

H3. Homeowner and Renter Property Tax Assistance Matters
There are no items for this matter.

H4. Sales and Use Taxes Matters
➤ Denial of Relief of Penalty/Interest
1. Thermo Keytek, LLC, 494632 (OH)

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's petition denied.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

H5. Sales and Use Taxes Matters – Credits, Cancellations, and Refunds

➤ Refund

1. Ultramar, Inc., 486928

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's claim granted.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

There are no items for the following matters:

H6. Special Taxes Matters

H7. Special Taxes Matters – Credits, Cancellations, and Refunds

H8. Property Tax Matters

H9. Cigarette License Fee Matters

H10. Legal Appeals Property Tax Matters

I. Tax Program Nonappearance Matters

I1. Property Taxes Matters

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved staff recommendations.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Not participating

➤ Audits

1. Southern California Gas Company, (149) – “CF”

2. ABS-CBN Telecom North America, Inc., (7581) – “CF”

3. Telmex USA, LLC, (7866) – “CF”

I2. Offers in Compromise Recommendations

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved staff recommendations.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

1. Jeff Parsons and Robin Parsons, J.R. Brewski's, Inc.

2. Thomas Dodson and Linda Dodson

3. Richard Walton and Matrix Communications, LLC

4. Cupid's Garden Bridal Boutique, Inc.

5. Blair Wilkes and Lynnette Wilkes

6. John Herrera

I3. Local Tax Reallocation Matters

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Jurisdiction's Petition for Rehearing denied.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

- Petition for Rehearing
 1. City of Union City, 469296

Chief Counsel Matters**J. Rulemaking**

These items are scheduled for Thursday, March 25, 2010.

There are no items for the following matters:

- K. Business Taxes
- L. Property Taxes

M. Other Chief Counsel Matters

This item is scheduled for Thursday, March 25, 2010.

Administrative Session

The following items are scheduled for Thursday, March 25, 2010.

- N. Consent Agenda
- O. Adoption of Board Committee Reports and Approval of Committee Actions
- P. Other Administrative Matters

Q. Closed Session

These items are scheduled for Thursday, March 25, 2010.



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STATE BOARD OF EQUALIZATION MEETING
450 N Street, Room 121, Sacramento
March 23-25, 2010

PRELIMINARY RECORD OF BOARD ACTION

Wednesday, March 24, 2010

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Board Committee Meeting– Please see Page 18, O., Adoption of Board Committee Reports and Approval of Committee Actions, for voting results.

Board Meeting

C. Sales and Use Tax Appeals Hearings

C1. Macromedia, Inc., 461946 (BH)

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
No final Board Determination	Ms. Yee	Yes
The Board ordered that the claims be submitted for decision, granting the taxpayer 30 days to file supporting documents, the Department 30 days to respond, and the Appeals Division 30 days thereafter to review the taxpayer's supporting documents, the Department's response and provide its recommendation to the Board.	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

- C2a. Douglas Brent Dunbar, Zaid Rahmani, and Irina Rasuli, 295401 (CH)
 C2b. Smoker's Paradise, LLC, 295398, 378099, (GH)
 C2c. Douglas Brent Dunbar and Zaid Rahmani, 304043, 378109 (CH)
 C2d. Cheaper Cigarette, Douglas Brent Dunbar, Mansoor Rahmani, Tariq Rasuli and Zaid Rahmani, 296295 (JH)
 C2e. Cigarettes "R" Cheaper, Zaid Rahmani, Tariq Mohammed Rasuli and Monsoor Rahmani, 296294 (JH)
 C2f. Cigarette Center, LLC, 295400, 378108 (CH)

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's claim for refund for Case ID 296294 was granted in the amount of \$500.00, otherwise taxpayers' petitions and claims are denied. Approved revised recommendation.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

- C3. TestOut Corporation, 400769, 400658 (OH)

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's petition and claim denied.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

- C4. James Fishman, 355538 (CH)

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's petition denied.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Abstain

- C5. Sukrita Sanahi, 436874 (EA)

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's petition denied. Directed staff to inform the taxpayer of the Offer in Compromise Program.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	No
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

C6. Winntech Digital Systems, Inc., 353092, 416075, 416073 (OH)

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's petition/protests partially granted/denied.	Ms. Yee	Yes
Deleted the finality penalty.	Ms. Alby	Yes
Directed staff to offer the taxpayer a payment plan.	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

C7. Edward A. Foster, 424872 (CH)

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's protest denied.	Ms. Yee	Yes
Directed staff to inform the taxpayer of payment options.	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes



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C. Sales and Use Tax Appeals Hearings

C8. Kenneth Richard McLeod, 435025, 504922 (KH)

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's protest and claim denied. Directed staff to inform the petitioner of the Offer in Compromise Program.	Ms. Yee	Yes
	Ms. Alby	No
	Ms. Steel	No
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

C9a. Rebecca Ann Scherz, 416659 (CH)

C9b. Eric Brian Scherz, 401795 (CH)

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's protest and petition denied.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

D. Special Taxes Appeals Hearing**D1. DFC Gas & Wine, LLC, 513008 (ET)**

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Taxpayer's petition denied.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	No
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

Chief Counsel Matters**J. Rulemaking****Section 100 Changes****J1. Sales and Use Tax Regulation 1525.7, *Rural Investment Tax Exemption***

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved staff recommendation.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

J2. Sales and Use Tax Regulation 1584, *Membership Fees*

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved staff recommendation.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

J3. Sales and Use Tax Regulation 1602.5, *Reporting Methods for Grocers*

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved staff recommendation.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

J4. Sales and Use Tax Regulation 1700, *Reimbursement for Sales Tax*

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved staff recommendation.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

M. Other Chief Counsel Matters

M1. Request for Resolution Concerning Coverage for BOE Volunteers

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved staff recommendation.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

Administrative Session**N. Administrative Consent Agenda**

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved staff recommendations.	Ms. Yee	Yes
	Ms. Alby	Yes
	Ms. Steel	Yes
	Mr. Horton	Yes
	Mr. Chiang/ Ms. Mandel	Yes

N1. Board Employee Retirement Resolutions

- Sandra Kay Ellerson
- Harold J. Scott
- Elena A. Shroyer
- Luis Torres
- Edward Toussaint
- Estelita B. Velasquez
- Brenda Ward

N2. Board Resolution

- Honorable Rick Auerbach, Los Angeles County Assessor

N3. Approval of Board Meeting Minutes

- November 17-19, 2009
- December 15-16, 2009
- January 26-27, 2010
- February 23-24, 2010

N4. 2010 Timber Advisory Committee Membership

N5. Approval of revisions to Audit Manual Chapter 4, *General Audit Procedures*N6. Approval of revisions to Audit Manual Chapter 10, *Occasional Sales - Sales of a Business*

O. Adoption of Board Committee Report and Approval of Committee Actions**O1. Legislative Committee**

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
No final Board determination. Deferred to April 2010.	Ms. Yee Ms. Alby Ms. Steel Mr. Horton Mr. Chiang/ Ms. Mandel	

P. Other Administrative Matters**P1. Executive Director's Report**

- a. BOE 2010-15 Strategic Plan Update
- b. Conferencing Technologies Pilot Update
- c. Proposal to Reorganize the Special Taxes Divisions

P2. Chief Counsel Report

There are no items for this matter.

P3. Sales and Use Tax Deputy Director's Report

1. Update on Unapplied Remittances Project

P4. Property and Special Taxes Deputy Director's Report

There are no items for this matter.

P5. Administration Deputy Director's Report

1. Contract Over \$1 Million – This item is for Board approval.

- a. Microsoft Licenses – This acquisition will upgrade prior versions of Office to Office 2007 and purchase some SharePoint licenses.

<u>DECISION</u>	<u>MEMBER</u>	<u>BOARD VOTE</u>
Approved staff recommendations.	Ms. Yee Ms. Alby Ms. Steel Mr. Horton Mr. Chiang/ Ms. Mandel	Yes Yes Yes Yes Absent and Not participating

2. Facilities Update

- a. Headquarters Facilities – Update on the Headquarters remediation project including activated swing space moves.

- b. Headquarters Annex – Update on the site search selection for the Headquarters annex locations.

- c. 2009 State Agency Recognition Award (SARA)– Governor's Bronze Award to the Acquisitions Branch for increasing its participation in the State's Small Business and Disabled Veteran Business Enterprise programs.

~~3. 2009/10 and 2010/11 Budget Update, Furlough Plan and Layoffs~~

- ~~a. Information regarding the Governor's 2009/10 Budget, Governor's Executive Order S-16-08 State Employee Furlough, and layoffs.~~
- ~~b. Update on the Governor's 2010/11 Budget.~~

- P6. Technology Deputy Director's Report
There are no items for this matter.

Q. Closed Session

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